THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.10653 OF 2006

Date: 23rd November, 2007

Between :-

Shaik Jamal Basha .. Petitioner

And

The Joint Collector, Nellore, Nellore District and another .. Respondents

THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.10653 OF 2006

ORDER:-

This Court issued *rule nisi* on 6-6-2006 and in W.P.M.P.No.10653/2006 the following Order was made:-

> *"It seems the Commissioner of Civil Supplies issued a clarification on 12-8-2002 stating that in view of the change in law on the subject even where a driver is found to have indulged in purchasing rice meant for food for work, the only course open to the authorities is to initiate proceedings under the Code of Criminal Procedure. In view of this, even the lorry cannot be seized under the Essential Commodities Act. The only course left for the authorities is to launch Criminal prosecution against the owner of the lorry and seize the same under the law, if necessary.*
>
> *In view of the above, there shall be interim*

direction to the respondents to release the subject lorry No.AP 31 U 2149 immediately on furnishing an undertaking by the petitioner that he shall not alienate, alter or create any encumbrance in the subject lorry during the pendency of the proceedings before the authorities."

It is stated by the learned A.G.P. for Civil Supplies that in the light of the directions issued by this Court on 6-6-2006, no further orders need be passed in the Writ Petition. In the light of the directions specified supra, inasmuch as, no further directions are required in this Writ Petition, the Writ Petition is disposed of accordingly. Let the petitioner cooperate with the enquiry as and when required. No order as to costs.

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Justice P.S.Narayana

23rd November, 2007

smr